

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

-----X  
LIBORIA OSTRANDER,

Plaintiff(s)

-against-

CVS PHARMACY, INC.,

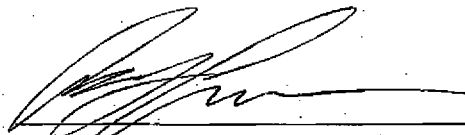
Defendant(s)  
-----X

TO THE ABOVE NAMED DEFENDANT(S):

YOU ARE HEREBY SUMMONED to answer the Complaint in this action and to serve a copy of your Answer on the plaintiff's attorneys within twenty (20) days after the service of this Summons, exclusive of the day of service (or within thirty (30) days after service is complete if this Summons is not personally delivered to you within the State of New York); and in case of your failure to answer, judgment will be taken against you by default for the relief demanded in the complaint.

The basis of the venue is the location of the incident.

Dated: Melville, New York  
February 2, 2022



PETER G. LAVRENCHIK

The Law Offices of Peter G. Lavrenchik, PLLC  
Attorney(s) for Plaintiff  
LIBORIA OSTRANDER  
395 N. Service Road, Suite 302  
Melville, New York, 11747  
(631) 338-5915

Defendant(s) Residence/Address:

CVS Pharmacy Inc  
633 Merrick Road  
Lynbrook, NY 11563

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

-----X  
LIBORIA OSTRANDER,

Plaintiff(s)

VERIFIED  
COMPLAINT

-against-

INDEX NO:

CVS PHARMACY, INC.,

Defendant(s)

-----X  
Plaintiffs, LIBORIA OSTRANDER by her attorneys, THE LAW OFFICES OF PETER  
G. LAVRENCHIK, PLLC, sets forth and alleges the following as and for their Verified  
Complaint against the defendants.

**AS AND FOR A FIRST CAUSE OF ACTION ON BEHALF OF PLAINTIFF  
LIBORIA OSTRANDER AS AGAINST CVS PHARMACY INC**

FIRST: Plaintiffs is an individual and resident of the County of  
Nassau, State of New York.

SECOND: Upon information and belief, and at all times relevant hereto, the  
Defendant, CVS PHARMACY, INC., was, and continues to be, a domestic corporation, duly  
organized and existing under and by virtue of the laws of the State of New York, with a principal  
place of business/office, at 633 Merrick Road, Lynbrook, NY 11563, in the County of Nassau,

State of New York.

THIRD: Upon information and belief, and at all times relevant hereto, the Defendant, CVS PHARMACY, INC., was, and is, a foreign corporation, duly licensed to conduct business within the State of New York.

FOURTH: That at all, times hereinafter mentioned, the defendant(s) CVS PHARMACY, INC., owned and/or operated a stand alone commercial property/shopping center located at 633 Merrick Road, Lynbrook, New York 11563.

FIFTH: That at all times hereinafter mentioned, the commercial property/shopping center at the address mentioned has on it a commercial building which is owned and/or operated and/or maintained by CVS PHARMACY, INC

SIXTH: That at all times hereinafter mentioned, the defendants, CVS PHARMACY, INC., its agents, servants and/or its employees, owned and/or had the duty to maintain, supervise, control, inspect and keep in good repair the exterior grounds which make up the commercial property/shopping center and keep said property free of dangerous and defective conditions for the protection of all those present on said property including the plaintiff herein, LIBORIA OSTRANDER.

SEVENTH: That at all times hereinafter mentioned, the defendants, CVS PHARMACY, IN., its agents, servants and/or its employees, owned and/or had the duty to maintain, supervise, control, inspect and keep in good repair the interior portions of the building which make up the commercial property/shopping center and keep said property free of dangerous and defective conditions for the protection of all those present on said property, including the plaintiff herein, LIBORIA OSTRANDER.

EIGHTH: That it was the duty of the defendants, CVS PHARMACY, INC., its agents, servants and/or employees, to so conduct themselves, to ensure that it was safe and proper for individuals, including this plaintiff, LIBORIA OSTRANDER, to traverse on the property, including the interior portions of the commercial building at the property.

NINTH: That on or about the 8<sup>th</sup> day of July, 2021, while a pedestrian lawfully on the commercial property, the plaintiff LIBORIA OSTRANDER, due to a dangerous and defective condition, was caused to fall and sustained severe and personal injuries.

TENTH: That the accident and the injuries resulting therefrom were caused solely by the negligence, carelessness, recklessness on part of the defendants, CVS PHARMACY, INC., its agents, servants and/or employees, in failing to adequately and properly supervise and protect the individuals lawfully present on the premises; in negligently, carelessly and/or recklessly allowing a dangerous condition to exist on the premises; in allowing and/or causing people to traverse in the area of the dangerous and defective condition; in failing to properly monitor the premises; in failing to properly inspect the premises; in failing to warn people of the existence of a dangerous and defective condition; in causing and/or creating a dangerous condition on the premises; in failing to keep the premises in good and/or proper condition; in being aware of a dangerous and defective condition and failing to take proper actions to remedy same; in failing to follow their own rules, policies and procedures in inspecting and/or maintaining the premises and/or allowing the premises to become and remain in a dangerous and defective condition; in failing to properly train its agents servants and/or employees to properly maintain and/or inspect the premises; in failing to properly inspect the premises and allowing a dangerous and hazardous condition to be in existence on the premises; in failing to have

appropriate rules, guidelines and/or protocols for the inspection and/or maintenance of the premises; in failing to communicate the proper rules, guidelines and/or protocols regarding inspection and/or maintenance of the premises; in failing to properly maintain the premises which resulted in foreseeable injury; and in otherwise being, negligent, careless and reckless.

ELEVENTH: That the defendant(s) created the dangerous and hazardous condition and/or that the defendant(s) had actual knowledge of the dangerous and hazardous condition and/or that the defendant(s) were constructively on notice of this dangerous and hazardous condition/activity as same had been in existence for a sufficient amount of time prior to the happening of this accident to allowing defendant(s) to become aware of it and remedy same.

TWELFTH: That this actions falls within one (1) or more of the exceptions set forth in C.P.L.R 1602.

THIRTEENTH: That as a result of the foregoing, the plaintiff, LIBORIA OSTRANDER, was caused to sustain serious personal injuries, the full extent of which is currently unknown. Upon information and belief some or all of plaintiff's injuries are permanent in nature and character and plaintiff has suffered and will continue to suffer physical pain and mental anguish. Plaintiff has expended and become obligated, and in the future will become obligated, to expend sums of money for medical care and attention, in an effort to cure said injuries and to alleviate the pain and suffering.

FOURTEENTH: That the plaintiff has been damaged in an amount which exceeds the jurisdictional limits of all lower courts which might otherwise have jurisdiction.

WHEREFORE, plaintiffs LIBORIA OSTRANDER, demands judgment against the defendant(s), CVS PHARMACY, INC., on all Causes of Action herein, together with all costs, disbursement, reasonable attorneys fees, and for such other and further relief that the court may deem just, proper and equitable.

Dated: Melville, New York  
February 2, 2022

THE LAW OFFICES OF PETER G. LAVRENCHIK, PLLC



BY: PETER G. LAVRENCHIK

Attorneys for Plaintiffs

LIBORIA OSTRANDER

395 N. Service Road, Suite 302

Melville, New York 11747

STATE OF NEW YORK :  
 : SS.:  
COUNTY OF NASSAU :

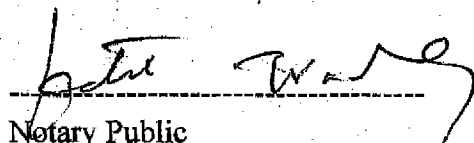
**INDIVIDUAL VERIFICATION**

I, LIBORIA OSTRANDER, being duly sworn, deposes and says:

I am the plaintiff in the within action. I have read the VERIFIED SUMMONS AND COMPLAINT dated on February 2, 2022 and on my behalf and know the contents thereof; The same is true to my own knowledge, except as to matters therein stated to be alleged on information and belief, as to those matters I believe it to be true.

  
LIBORIA OSTRANDER

Sworn to before me this  
2<sup>nd</sup> day of February, 2022

  
Notary Public

KANTILAL T. VADSOLA  
Notary Public, State of New York  
No. 01VA4912079  
Qualified in Suffolk County  
Commission Expires February 8, 2024

## THE LAW OFFICES OF PETER G. LAVRENCHIK, PLLC

## ===== Notice of Entry =====

Sir:- Please take note that the within is a (certified) true copy of the original document duly entered in the office of the clerk of the within named court on 20

Dated:

Yours etc.,

THE LAW OFFICES OF PETER G. LAVRENCHIK,  
PLLC

*Attorneys for Plaintiff(s)*

*Office and Post Office Address*  
395 N. Service Road, Suite 302  
Melville, New York 11747

To

Attorney(s) for

## ===== Notice of Settlement =====

Sir:- Please take notice that an order

Of which the within is a true copy will be presented for settlement to the Hon.

One of the Judges of the within named Court, at

On

At

Dated:

Yours etc.,

THE LAW OFFICES OF PETER G. LAVRENCHIK,  
PLLC

*Attorneys for Plaintiff(s)*

*Office and Post Office Address*  
395 N. Service Road, Suite 302  
Melville, New York 11747

TO

Attorney(s) for

Index No: /

Supreme Court of the State of New York

COUNTY OF NASSAU

LIBORIA OSTRANDER,

Plaintiff(s)

-against-

CVS PHARMACY, INC,

Defendant(s)

SUMMONS AND COMPLAINT

THE LAW OFFICES OF PETER G. LAVRENCHIK,  
PLLC

*Attorneys for Plaintiff(s)*

*Office and Post Office Address*

395 N. Service Road, Suite 302

Melville, New York 11747

631 338-5915

To

Attorney(s) for Defendant(s)

Service of a copy of the within

is hereby admitted.

Dated:

Attorney(s) for